

# **Metropolitan Water Reclamation District of Greater Chicago**

100 East Erie Street  
Chicago, IL 60611



## **Regular Board Meeting Minutes**

**Thursday, January 17, 2013**

**10:00 AM**

**Board Room**

### **Board of Commissioners**

*Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany*

#### **THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:**

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

## Call Meeting to Order

President Kathleen Therese Meany presiding, called the meeting to order at 10:00 a.m.

## Roll Call

**Present:** 9 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; Kari K. Steele; Patrick D. Thompson; and Kathleen Therese Meany

## Approval of Previous Board Meeting Minutes

A motion was made by Mariyana T. Spyropoulos, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

## Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Mariyana T. Spyropoulos, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

## Recess and Reconvene as Board of Commissioners

At 12:55 p.m. President Kathleen Therese Meany reconvened the regular board meeting to order

## Finance Committee

### Report

- 1     [13-0030](#)     Report on payment of principal and interest for outstanding District bonds due on January 1, 2013

**Attachments:**     [DS 2013-01 att.pdf](#)

Published and Filed

- 2     [13-0032](#)     Report on designation of authority to affix signature of Chairman of the Committee on Finance

**Attachments:**     [Chairman of Finance Signatures - Attachment](#)

Published and Filed

## Authorization

- 3      [13-0024](#)      Authority to Transfer \$20,000,000.00 from the Corporate Fund to the Metropolitan Water Reclamation District Retiree Health Care Trust (101-25000-601250)  
**Approved**
- 4      [13-0025](#)      Authority to Transfer up to \$235,500,000.00 from the Corporate Working Cash Fund to Finance Corporate Fund Operations of the District in the Year 2013, Pursuant to the Provisions of 70 ILCS 2605/9b  
**Approved**
- 5      [13-0026](#)      Authority to Transfer up to \$10,500,000.00 from the Construction Working Cash Fund to Finance Construction Fund Operations of the District in the Year 2013, Pursuant to the Provisions of 70 ILCS 2605/9c  
**Approved**
- 6      [13-0027](#)      Authority to Transfer up to \$19,000,000.00 from the Stormwater Management Working Cash Fund to Finance Stormwater Management Fund Operations of the District in the Year 2013, Pursuant to the Provisions of 70 ILCS 2605/9e  
**Approved**

## Procurement Committee

### Report

- 7      [13-0020](#)      Report of bid opening of Tuesday, January 8, 2013 (*As Revised*)  
**Published and Filed**

### Authorization

- 8      [13-0014](#)      Authorization to accept initial annual rental bid for Contract 12-373-11, Proposal to Lease for 39-years 8.46+/- acres of District real estate located at 3300 South California Avenue in Chicago, Illinois, and known as Main Channel Parcel 42.14 from VCNA Prairie, Inc. in an amount of \$251,000.00  
  
**Attachments:**      [01-17-13 VCNA Prairie Inc.pdf](#)  
  
**Approved**

- 9      [13-0017](#)      Authorization to amend Board Order of December 20, 2012, regarding authorization to amend Board Order of November 1, 2012, regarding authority to issue purchase orders and enter into agreement with Televent DTN, Inc., to Furnish and Deliver Weather Radar Information for a Three-Year Period, in an amount not to exceed \$31,108.00, Accounts 101-66000, 68000, 69000-601170, 612330, 612490, Requisitions 1346198, 1348485, and 1348227, Agenda Item No. 19, File No. 12-1451

**Approved**

#### **Authority to Advertise**

- 10      [13-0010](#)      Authority to advertise Contract 13-629-11 Furnishing and Delivering Electrical Arc Flash Personal Protective Equipment and Safety Tools to Various Locations, estimated cost \$174,860.00, Account 101-66000/67000/68000/69000-623680/623780, Requisition 1353128, 1352860, 1353982, 1353127

**Approved**

#### **Issue Purchase Order**

- 11      [13-0028](#)      Issue purchase orders to Venture Technology Groups, Inc., to Furnish and Deliver Parts for EIM Valve Actuators and Controls to Various Service Areas in an amount not to exceed \$116,700.00, Accounts 101-66000, 67000-623270, Requisitions 1347544, 1349965, 1350808, 1353119, 1353138 and 1353143 (*As Revised*)

**Approved**

#### **Award Contract**

- 12      [13-0019](#)      Authority to award Contract 04-131-2D, Rehabilitation of the A/B and C/D Service Tunnels - Phase One, Stickney WRP, to F.H. Paschen SN Nielsen & Associates, LLC, in an amount not to exceed \$13,615,000.00, Account 401-50000-645750, Requisition 1335454

**Attachments:**      [APP D 04-131-2D.pdf](#)

**Approved**

#### **Increase Purchase Order/Change Order**

- 13      [13-0012](#)      Authority to increase Contract 11-633-11 Furnish and Deliver Polymer to the Stickney and Egan Water Reclamation Plants, to Polydyne, Inc., in an amount of \$70,000.00 from an amount of \$18,000,000.00 to an amount not to exceed \$18,070,000.00, Account 101-67000-623560, Purchase Order 3069863

**Deleted by the Executive Director**

- 14      [13-0013](#)      Authority to decrease purchase order and amend the agreement with Superior Industrial Equipment, LLC, for Services to Repair Mechanical Seals of Sludge Pumps at the Stickney Water Reclamation Plant and to Repair Mechanical Seals of Digester Sludge Recirculation Pumps at the Calumet Water Reclamation Plant, in an amount of \$30,000.00, from an amount of \$144,002.02, to an amount not to exceed \$114,002.02, Account 101-68000-612650, Purchase Order 3068349

**Attachments:**      [Auth to Decr 3068349 for 20130117 BOC.pdf](#)

**Approved**

- 15      [13-0016](#)      Authority to increase purchase order and amend the agreement with Deutsch, Levy & Engel LLC, for legal services in representing the District in an environmental remediation action against Nicor/ComEd for District property at Oakton Street and McCormick Boulevard in Skokie, Illinois, in an amount of \$55,000.00, from an amount of \$596,380.34, to an amount not to exceed \$651,380.34, Account 901-30000-667220, Purchase Order A84545 (As Revised)

**Attachments:**      [january 17 proc. real estate.PDF](#)

*Mariyana T. Spyropoulos lifted her earlier deferral*

**Approved**

- 16      [13-0022](#)      Authority to decrease purchase order and amend the agreement with AutoDesk, Inc., for professional computer software services in regards to the continuance of full implementation of the AutoDesk Constructware application, in an amount of \$74,443.90, from an amount of \$796,816.00, to an amount not to exceed \$722,372.10, Accounts 201-50000-601170, 623800 and 634820, Purchase Order 3046108

**Attachments:**      [CO AutoDesk.PDF](#)

**Approved**

- 17      [13-0031](#)      Authority to decrease Contract 07-163-3M (Re-Bid) R&D Building HVAC Improvements, SWRP, to Path-Millhouse Joint Venture in an amount of \$4,208,871.27, from an amount of \$9,154,041.75, to an amount not to exceed \$4,945,170.48, Accounts 401-50000-645680 and 645780, Purchase Order 5001056

**Attachments:**      [CO 07-163-3M.pdf](#)

**Approved**

## Engineering Committee

**Report**

- 18      [13-0009](#)      Report on change orders authorized and approved by the Director of Engineering during the month of December 2012

**Attachments:**      [CO December.pdf](#)  
                                 [CO Status.pdf](#)

Published and Filed

**Industrial Waste & Water Pollution Committee****Authorization**

- 19      [13-0036](#)      Request Authority to Settle the 2010 Net User Charge for Fantus Health Center, User Account No. 26653, by revising the Net User Charge from \$10,498.10 to a Net User Charge of \$7,025.33 and authorize a refund of any overpayment

Approved

**Judiciary Committee****Authorization**

- 20      [13-0018](#)      Authority to settle the Workers' Compensation claim of Andrew Grant vs. MWRDGC, Case No. 12 WC 02698, Illinois Workers' Compensation Commission (IWCC), in the sum of \$30,012.11. Account 901-30000-601090

Approved

**Maintenance & Operations Committee****Reports**

- 21      [13-0021](#)      Report on change orders authorized and approved by the Director of Maintenance and Operations during the months of October, November and December 2012.

**Attachments:**      [Change orders for Oct. - Dec., 2012.pdf](#)  
                                 [Change orders for Oct. - Dec., 2012.pdf](#)

Published and Filed

**Monitoring & Research Committee**

**Authorization**22      [13-0034](#)

Authority to Subscribe to the Water Environment Research Foundation for 2013 in an Amount Not to Exceed \$124,500.00 Account 101-15000-612280 (Corporate Fund)

**Approved**

**Pension, Human Resources & Civil Service Committee****Report**23      [13-0008](#)      2012 Annual Report of the Civil Service Board

**Attachments:**      [2012 CSB rpt attachment.pdf](#)

**Published and Filed**

**Real Estate Development Committee****Authorization**

24      [13-0042](#)      Authority to issue a two (2) month permit extension to Wilmette Harbor Association to continue to occupy approximately 0.69 acres of District real estate known as North Shore Channel Parcels 1.02, 1.03 and 1.04, plus the Wilmette Harbor in Wilmette, Illinois. Consideration shall be \$11,167.00

**Attachments:**      [01-17-13 WHA.pdf](#)

**Approved**

**Approval of the Consent Agenda with the exception of Items: 13, 25, 26, 27, 28, 29, 30, 31, 32, and 33**

**A motion was made by Frank Avila, seconded by Mariyana T. Spyropoulos, to Approve the Consent Agenda. The motion carried by the following roll call vote:**

**Aye:**    7 -    Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

**Absent:**    2 -    Michael A. Alvarez, Cynthia M. Santos

**State Legislation & Rules Committee**

**Authorization**

- 25      [13-0041](#)      Recommendations for the State of Illinois 2013 Legislative Program
- A motion was made by Debra Shore, seconded by Mariyana T. Spyropoulos, that this Agenda Item be Approved. The motion carried by the following roll call vote:**
- Aye:**    7 -    Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany
- Absent:**   2 -    Michael A. Alvarez, Cynthia M. Santos

**Miscellaneous and New Business****Motion**

- 26      [13-0035](#)      MOTION to accept the Chairman and Vice-Chairman Assignments for the 2013-2014 Standing Committees (*As Revised*)
- A motion was made by Cynthia M. Santos, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:**    9 -    Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

**Resolution**

- 27      [13-0037](#)      RESOLUTION sponsored by the Board of Commissioners recognizing the month of February 2013 as Black History Month
- Deleted by the Executive Director**
- 28      [13-0038](#)      RESOLUTION sponsored by the Board of Commissioners honoring the Reverend Dr. Martin Luther King, Jr.
- A motion was made by Barbara J. McGowan, seconded by Debra Shore, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

**Additional Agenda Items**

- 29      [13-0045](#)      MOTION to appoint Hearing Officers for 2013
- A motion was made by Mariyana T. Spyropoulos, seconded by Frank Avila, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:**    7 -    Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany



**Absent:** 2 - Michael A. Alvarez, Cynthia M. Santos

- 30      [13-0046](#)      MOTION to appoint Mariyana T. Spyropoulos to the Other Post Employment Benefits (OPEB) Trust Executive Committee of the Metropolitan Water Reclamation District of Greater Chicago

**A motion was made by Debra Shore, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 7 - Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

**Absent:** 2 - Michael A. Alvarez, Cynthia M. Santos

- 31      [13-0047](#)      MOTION to appoint Mariyana T. Spyropoulos to the Deferred Compensation Committee of the Metropolitan Water Reclamation District of Greater Chicago

**A motion was made by Barbara J. McGowan, seconded by Frank Avila, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 7 - Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

**Absent:** 2 - Michael A. Alvarez, Cynthia M. Santos

- 32      [13-0048](#)      MOTION to appoint Mariyana T. Spyropoulos as trustee of the Metropolitan Water Reclamation District's Retirement Fund

**A motion was made by Debra Shore, seconded by Barbara J. McGowan, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 7 - Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

**Absent:** 2 - Michael A. Alvarez, Cynthia M. Santos

- 33      [13-0049](#)      MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Mary Valtierra
- A motion was made by Frank Avila, seconded by Barbara J. McGowan, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

## Meeting Summary

**Speakers**

*Linda Cohran, District employee and MetroTalk member, commented on the resolution (Re: Miscellaneous & New Business Item # 28)*

*Steven Valtierra accepted the memorial resolution extending sympathy and condolences to the family of Mary Valtierra (Re: Miscellaneous & New Business Item #33)*

*George Blakemore, concerned citizen, voiced concerns on various items (Re: Real Estate Item #24 and Miscellaneous & New Business Item # 28)*

**Summary of Requests**

*None*

**Study Session**

*Kevin Fitzpatrick will survey the Board for a mutually convenient date to schedule a Study Session to discuss an intern program.*

**Announcements**

*None*

**Board Letter Submission Dates**

The next regular board meeting is scheduled for February 7, 2013, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: January 25, 2013

Date agenda items are due to the Executive Director for signature and preparation: January 29, 2013

Date all agenda items are due to the Executive Director: 1:00 p.m., January 30, 2013

**Adjournment**

**A motion was made by Barbara J. McGowan, seconded by Debra Shore, that when the Board adjourns it adjourns to meet on Thursday, February 7, 2013, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk**

**Aye:** 7 - Frank Avila, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

**Absent:** 2 - Michael A. Alvarez, Cynthia M. Santos

**APPROVAL:**

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this January 17, 2013, are hereby approved.

**APPROVED:**

/s/ Kathleen Therese Meany

President Board of Commissioners of the  
Metropolitan Water Reclamation District of Greater Chicago

January 17, 2013